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38887	7590	11/25/2009

LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON
CHICAGO, IL 60601-6731

EXAMINER
LEBASSI, AMANUEL

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 11/25/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,554	01/05/2004	Houman Pournasseh	224016	2395

TITLE OF INVENTION: SHORT MESSAGE SYSTEM FOR MOBILE DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$300	$0	$1810	02/25/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**   **Mail Stop ISSUE FEE**
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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

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nonprovisional	NO	$1510	$300	$0	$1810	02/25/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEBASSI, AMANUEL	2617	455-466000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1 _____ 2 _____ 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE	(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ☐ Individual   ☐ Corporation or other private group entity   ☐ Government

4a. The following fee(s) are submitted: ☐ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies _____	4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)** ☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,554	01/05/2004	Hooman Pournasseh	224016	2395

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1537 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1537 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	**Applicant(s)**
Notice of Allowability	10/751,554	POURNASSEH ET AL.
	Examiner	**Art Unit**	
	AMANUEL LEBASSI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *07/10/2009.*

2. ☒ The allowed claim(s) is/are *1-13,15-22,24 and 26-35.*

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

      a) ☐ All   b) ☐ Some* c) ☐ None of the:

          1. ☐ Certified copies of the priority documents have been received.

          2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

          3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
    of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Christopher J. Volkmann (Registration No. 60,349) on 11/13/2009.

The application has been amended as shown in the "Listing of Claims" below and is

summarized as follows:

Claim 13 is amended.

Begin Amendment:

Listing of the claims:

1. (Previously Presented) A method to send at least one message to a recipient

using a mobile phone and a keyboard of a computing device that is physically separated

from the mobile phone, the method comprising:

identifying a number of available ports associated with devices for transmitting

data between the computing device and the mobile phone;

 generating a list of the available ports;

displaying a user interface on a display device of the computing device, the user

interface having a user-selectable control including the list of available ports, a

destination number field for entering a destination number for the at least one message, a message field, a send button, and a phone book button, wherein the user-selectable control enables the user to view the number of available ports;

receiving an indication from the user of one port of the list of available ports that is to be used to communicate with the mobile phone, wherein receiving the indication comprises receiving a selection of the one port from the user-selectable control using the computing device ;

providing a maximum number indication of a maximum number of characters that can be used in each of the at least one message;

displaying a body of the at least one message in the message field in response to a user typing the at least one message with the keyboard;

displaying a destination number of the recipient in response to one of the user typing the destination number with the keyboard and selecting the destination number from a phone book; and

sending the at least one message to the mobile phone via the one port, wherein the at least one message is sent to the recipient using the mobile phone.

2. (Previously Presented) The method of claim 1 further comprising:

displaying a phone book interface in response to the user selecting the phone book button, the phone book interface comprising a header row having a name header and a phone number header, at least one name row below the header row having a name field for displaying a name provided by the user and a phone number field for

displaying a phone number provided by the user, an add contact button, and an ok button.

3. (Previously Presented) The method of claim 2 further comprising:

in response to a user pressing the ok button if one of the at least one name row has been selected, populating the destination number field with the phone number in the phone number field in the one of the at least one name row.

4. (Previously Presented) The method of claim 2 wherein the phone book interface further comprises an import button, the method further comprising:

importing contacts information into the at least one name row from the mobile phone in response to the import button being pressed.

5. (Previously Presented) The method of claim 2 wherein the phone book interface further comprises a delete button, the method further comprising:

in response to a user pressing the delete button if one of the at least one name row has been selected, deleting the name in the name field of the one of the at least one name row that has been selected and deleting the phone number in the phone number field of the one of the at least one name row that has been selected.

6. (Previously Presented) The method of claim 1 wherein displaying the interface includes displaying an options button.

7. (Previously Presented) The method of claim 6 further comprising:

displaying an options interface in response to the user selecting the options button, the options interface comprising a character encoding selection area and a message logging selection area, the character encoding selection area having a list of character encodings for the at least one message and a selection box for allowing the user to select auto detection of the best encoding for the at least one message, the message logging selection area having a selection box to enable logging, a view log button to view a message log and a clear log button to clear the message log.

8. (Previously Presented) The method of claim 7 further comprising:

updating the maximum number indication in response to one of the character encodings in the list of character encodings being selected.

9. (Previously Presented) The method of claim 7 further comprising:

displaying the message log in response to the view log button being pressed.

10. (Previously Presented) The method of claim 7 further comprising:

deleting the message log in response to the clear log button being pressed.

11. (Previously Presented) The method of claim 1 further comprising:

displaying a notification message if a feature enriched communication application is running to determine if the user wants to use the feature enriched communication application.

12. (Previously Presented) The method of claim 11 further comprising:

transferring control to the feature enriched communication application if the user wants to use the feature enriched communication application.

13. (Currently Amended) <u>A computer readable medium storing instructions for displaying</u> a graphical user interface for sending a message to a recipient using a mobile phone and a keyboard of a computing device that is physically separated from the mobile phone, the mobile phone having a communication protocol for transmitting the message to the recipient, the graphical user interface comprising:

a window;

a menu field located within the window and having a list of available ports for transmission of the message from the computing device to the mobile phone, wherein a user selects one port from the list of available ports for transmission of the message;

a destination number field located within the window and receiving an indication of a destination number associated with the recipient;

a message field located within the window, wherein the message field displays a body of the message in response to a user typing the message with the keyboard;

a maximum number indication field located within the window, wherein the maximum number indication field includes an indication of a maximum number of allowed characters for each message transmitted using the communication protocol of the mobile phone;

wherein the instructions present a send button ~~located within the window~~; and a phone book button located within the window; and

wherein the user selects the send button to transmit the body of the message provided in the message field, wherein the computing device concatenates the message into a plurality of message portions based on the maximum number of allowed characters using a processor of the computing device, the plurality of message portions have a consecutive order that is defined based on the body of the message, wherein the computing device transmits each of the plurality of message portions to the mobile device in the consecutive order.

14. (CANCELLED)

15. (Previously Presented) The graphical user interface of claim 13 further comprising an options button located within the window.

16. (Previously Presented) The graphical user interface of claim 13 wherein the menu field comprises a pull-down menu field.

17. (Previously Presented) The graphical user interface of claim 13 wherein the maximum number of allowed characters is 160 characters.

18. (Previously Presented) The graphical user interface of claim 13 wherein the maximum number of allowed characters is 70 characters.

19. (Previously Presented) The graphical interface of claim 13 further comprising an image area within the window.

20. (Previously Presented) The graphical interface of claim 13 wherein the list of available ports includes one of an infrared port and a Blue tooth port.

21. (Previously Presented) The graphical interface of claim 20 wherein the one of an infrared port and a Blue tooth port comprises one of the infrared port, the Blue tooth port, and a serial port.

22. (Previously Presented) At least one computer-readable medium having computer executable instructions for sending at least one message to a recipient using a mobile phone and a keyboard of a computing device, the computing device being physically separated from the mobile phone, the computer executable instructions performing a method comprising:

displaying a user interface having a list of available ports, a destination number field, a message field, a send button, and a phone book button;

receiving an indication of one port of the list of available ports that is to be used to communicate with the mobile phone;

providing a maximum number indication of a maximum number of characters that can be used in each of the at least one message;

displaying a body of the at least one message in response to a user typing the at least one message with the keyboard;

displaying a phone book interface in response to the user selecting the phone book button, the phone book interface comprising a header row having a name header and a phone number header, at least one name row below the header row having a name field for displaying a name provided by the user and a phone number field for displaying a phone number provided by the user, an add contact button, an ok button, and an import button;

receiving a user input indicative of selection of the import button and, in response, importing contacts information from the mobile phone, using the one port, into the at least one name row;

displaying a destination number of the recipient in response to one of the user typing the destination number with the keyboard and selecting the destination number from a phone book; and

sending the at least one message to the mobile phone via the one port.

23. (CANCELLED)

24. (Previously Presented) The at least one computer readable medium of claim 22, wherein the method further comprises:

in response to a user pressing the ok button if one of the at least one name row has been selected, populating the destination number field with the phone number in the phone number field in the one of the at least one name row.

25. (CANCELLED)

26. (Previously Presented) The at least one computer readable medium of claim 22 wherein the phone book interface further comprises a delete button, wherein the method further comprises:

in response to a user pressing the delete button if one of the at least one name row has been selected, deleting the name in the name field of the one of the at least one name row that has been selected and deleting the phone number in the phone number field of the one of the at least one name row that has been selected.

27. (Previouly Presented) The at least one computer readable medium of claim 22 wherein displaying the interface includes the step of displaying an options button.

28. (Previously Presented) The at least one computer readable medium of claim 27, wherein the method further comprises:

displaying an options interface in response to the user selecting the options button, the options interface comprising a character encoding selection area and a message logging selection area, the character encoding selection area having a list of character encodings for the at least one message and a selection box for allowing the user to select auto detection of the best encoding for the at least one message, the message logging selection area having a selection box to enable logging, a view log button to view a message log and a clear log button to clear the message log.

29. (Previously Presented) The at least one computer readable medium of claim 27, wherein the method further comprises:

updating the maximum number indication in response to one of the character encodings in the list of character encodings being selected.

30. (Previously Presented) The at least one computer readable medium of claim 27, wherein the method further comprises:

displaying the message log in response to the view log button being pressed.

31. (Previously Presented) The at least one computer readable medium of claim 27, wherein the method further comprises:

deleting the message log in response to the clear log button being pressed.

32. (Previously Presented) The at least one computer readable medium of claim 22, wherein the method further comprises:

displaying a notification message if a feature enriched communication application is running to determine if the user wants to use the feature enriched communication application.

33. (Previously Presented) The at least one computer readable medium of claim 32, wherein the method further comprises:

transferring control to the feature enriched communication application if the user wants to use the feature enriched communication application.

34. (Previously Presented) The method of claim 1, wherein generating the list of the available ports comprises generating a drop-down menu control that includes the list of available ports.

35. (Previously Presented) The method of claim 34, wherein at least one of the available ports comprises a wireless communication channel and at least one of the available ports comprises a wired communication channel.

[Amendment Ended]

Allowable Subject Matter

1.   Claims 1-13, 15-22, 24, 26-35 are allowed.

2.   The following is an **examiner's statement of reasons for allowance**:

The prior art of record fails to teach A method to send at least one message to a

recipient using a mobile phone and a keyboard of a computing device that is physically

separated from the mobile hone the method comprising displaying a destination number

of the recipient in response to one of the user typing the destination number with the

keyboard and selecting the destination number from a phone book; and sending the at

least one message to the mobile phone via the one port, wherein the at least one

message is sent to the recipient using the mobile phone.

Metso et al. US 5920826 and Heatley US 2003005009 are references that

disclose systems nearly identical to the applicant's. Metso and Heatley disclose a

method to send at least one message to a recipient using a cell phone and a keyboard

of a computing device and identifying a number of available ports associated with

devices for transmitting data between the computing device and the mobile phone;

generating a list of the available ports; displaying a user interface on a display device of

the computing device, the user interface having a user-selectable control including the

list of available ports, a destination number field for entering a destination number for

the at least one message, a message field, a send button, and a phone book button,

wherein the user-selectable control enables the user to view the number of available

ports; however, the references fail to explicitly disclose a keyboard of a computing

device that is physically separated from the mobile hone the method comprising

displaying a destination number of the recipient in response to one of the user typing

the destination number with the keyboard and selecting the destination number from a

phone book; and sending the at least one message to the mobile phone via the one

port, wherein the at least one message is sent to the recipient using the mobile phone.

As a result the claims are allowed.

3.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

1.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Amanuel Lebassi, whose telephone number is (571)

270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to

5:00pm.

        If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-

8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Amanuel Lebassi
    /A. L./
11/19/2009

        /NICK CORSARO/

        Supervisory Patent Examiner, Art Unit 2617